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WESTERN DISTRICT OF LOUISIANA

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAKE CHARLES DIVISION

ANDREW AND ZUELA MYERS : CIVIL ACTION NUMBER
VERSUS : 04-2187
JOHN DOE, ET AL. : JUDGE MINALDI
MAGISTRATE JUDGE WILSON

JUDGMENT OF REMAND

For the reasons stated in the Report and Recommendation of the Magistrate Judge previously filed herein and after an independent review of the record, and a *de novo* determination of the issues, and consideration of the objections filed herein, and having determined that the findings are correct under applicable law;

IT IS ORDERED that plaintiffs' motion for leave to file a First Supplemental and Amended Petition for Damages [doc. #25] be, and it is hereby GRANTED.

The joinder of the non-diverse defendant destroys this court's subject matter jurisdiction. Accordingly, the cause is hereby remanded to the 14th Judicial District Court for the Parish of Calcasieu, State of Louisiana.

IT IS FURTHER ORDERED that the Clerk of Court make out a certified copy of this judgment, and forward the same to the Clerk of the 14th Judicial District Court for the Parish of Calcasieu, State of Louisiana.

THUS DONE AND SIGNED in Chambers at Lake Charles, Louisiana, this 12 day
of Dec, 2005.


PATRICIA MINALDI
UNITED STATES DISTRICT JUDGE